

## **MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD MAY 19, 2014**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on May 19, 2014 with Mayor Timothy W. Bradway calling the meeting to order at 7:30 p.m.

### **STATEMENT OF NOTICE GIVEN**

The Township Clerk read the following statement.

This is a Regular Meeting of the Township Committee of the Township of Lower Alloways Creek being held in compliance with the "Open Public Meetings Act" N.J.S.A. 10:4-6. To insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which any business affecting them is discussed or acted upon. Advance written notice of this meeting was given by way of an Annual Notice, which was filed with the Lower Alloways Creek Township Clerk, forwarded to the South Jersey Times, posted on the Township's Website and the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

**FLAG SALUTE** Mayor Bradway led in the Flag Salute.

### **ROLL CALL OF COMMITTEE**

**Present:** Mr. Breslin, Mr. Palombo, Mrs. Pompper, Mr. Venable, and Mayor Bradway **Absent:** None

### **OTHERS IN ATTENDANCE:**

Also in attendance were -4- (four) members of the Public and Jack Lynch, Superintendent of Public Works; George Rosenberger, Solicitor and the Township Clerk Ronald L Campbell Sr.

### **APPROVAL OF AUDITED VOUCHERS**

Motion (Pompper, Venable) that all properly audited vouchers be paid.

The motion to pay properly audited vouchers passed a vote of the Township Committee as follows: 4-0-1

Ayes: Pompper, Venable\*, Breslin, Palombo, and Bradway

Nays: none Abstain: \*Venable on check # 16781 Absent: none

### **MONTHLY REPORTS TO THE COMMITTEE**

The Mayor requested that the minutes reflect that the April 2014 Monthly Reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Police Department, Municipal Court, Tax Collector, Sewer Collector, Construction Office, Engineer, Animal Control and Finance.

### **APPROVAL OF THE MINUTES**

Motion (Breslin, Pompper) to approve the Regular and Closed Session Minutes of the Meeting held April 15, 2014.

The motion to approve the Regular and Closed Session Minutes of the Meeting held April 15, 2014 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Pompper, Palombo, Venable and Bradway

Nays: none Abstain: none Absent: none

### **RESOLUTIONS**

Motion (Pompper, Venable) for Resolution 2014-77 A Resolution authorizing the sale of surplus public property items at Govdeals.com online auction.

#### **RESOLUTION 2014 - 77**

A RESOLUTION TO AUTHORIZE THE SALE OF SURPLUS PUBLIC PROPERTY ITEMS AT GOVDEALS.COM ONLINE AUCTION.

WHEREAS, The Township of Lower Alloways Creek has surplus public property items, which it no longer has need of for public service; and,

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and,

WHEREAS, the Township Committee does authorize the following items:

1. Dell E551 13 inch Monitor
2. Ademco Vista 20 Security System w/ cabinet
3. 2- HP Pentium 4 Desktop Computers

be offered for auction online through Govdeals.com whose headquarters are located in Montgomery Alabama, pursuant to New Jersey Public Property Laws and Local Finance Notice 2008-09.

NOW, THEREFORE BE IT RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does authorize the sale of this surplus public property by online auction at Govdeals.com and does authorize the Purchasing Agent to negotiate with Govdeals.com as to the terms and conditions of their commission and any other particulars pertaining to the auction.

BE IT FURTHER RESOLVED that the terms and conditions of the online auction be available at the Municipal Clerk's Office and available through the auction website pursuant to Local Finance Notice 2008-09.

The motion for Resolution 2014-77 passed a vote of the Township Committee as follows: 4-1

Ayes: Pompper, Venable, Palombo and Bradway

Nays: Breslin

Abstain: none

Absent: none

Motion (Palombo, Venable) for Resolution 2014-78 A Resolution authorizing the receipt of bids for an automated "One Arm" Trash Truck.

Mayor Bradway asked Mr. Rosenberger if he had any comments on the specifications. Mr. Rosenberger commented that he was concerned that the specifications were written very tightly (Mr. Rosenberger cited "square tail lights" as being too specific), as if someone was looking to receive a specific manufacturer's truck. Mr. Rosenberger stated that in order to ensure competitive bidding, you need a balance between getting the one you want and allowing for competition. Mr. Lynch stated that he has been involved in the past several bids for trash trucks and he feels that the specifications do allow for competition.

#### **RESOLUTION 2014-78**

A Resolution authorizing the receipt of Bids for an automated "One-Arm" Trash Truck specifications and conditions set forth by the Township Purchasing Agent and Superintendent of Public Works.

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to purchase an automated "One-Arm" Trash Truck for use by the Township and other members of the TOLACEM Solid Waste/Recycling coalition, and;

WHEREAS, bid specifications for an automated "One-Arm" Trash Truck will be promulgated by the Purchasing Agent & Superintendent of Public Works and made available for review by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that it does authorize specifications to be promulgated by the Purchasing Agent and Superintendent of Public Works for an automated "One-Arm" Trash Truck.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the Township Purchasing Agent is hereby authorized to advertise for the receipt of bids for an automated "One-Arm" Trash Truck.

The motion for Resolution 2014-78 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Venable, Breslin, Pompper, and Bradway

Nays: none Abstain: none Absent: none

Mayor Bradway recused himself and left the room for the duration of the discussion and vote on Resolution 2014-79. Mr. Palombo had questions regarding who was on the list and someone who was not on the list, he stated that he had never been contacted by the MAPSA Committee about this nor had been informed of any of their meetings and that he could not vote on this resolution as it stands. There was more discussion and the Clerk retrieved the folder with all the applicant names and read them. The Committee agreed that all the applicants should be included, even if only as a substitute.

Motion (Venable, Breslin) for Resolution 2014-79 A Resolution to hire a MAPSA Summer Camp Supervisor and Counselors.

#### **RESOLUTION 2014-79**

#### **A RESOLUTION TO HIRE SUMMER CAMP COUNSELORS FOR THE 2014 SUMMER MAPSA CAMP PROGRAM**

WHEREAS, the MAPSA Committee of the Township of Lower Alloways Creek Township has asked that Summer Camp Counselors be hired to assist with the summer camp, and;

WHEREAS, members of the MAPSA Committee have interviewed applicants for said positions and presented a recommendation to the Township Committee as to their desire, who be hired as a Summer Camp Recreational Leader and Summer Camp Counselors.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the following persons be hired as a Summer Camp Recreational Leader at a rate of \$10.00/hr

**Lisa Duffield**

And Summer Camp Counselors for the MAPSA Summer Camp Program at the rate of \$8.25 / hr:

**Caitlin Bradway, Bradley Duffield, Jamie Munyon and Trisha Munyon**

As alternate Summer Camp Counselors; when and as needed for the MAPSA Summer Camp Program at the rate of \$8.25 / hr:

**Samantha Miller, Chelsea Plummer and Megan Sharp**

BE IT FURTHER RESOLVED that this resolution be forwarded to the MAPSA Committee and Township CFO.

The motion for Resolution 2014-79 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Breslin, Palombo, Pompper and

Nays: none Abstain: none Absent: none Did not vote: Bradway

#### **ORDINANCE (INTRODUCTION)**

Motion (Pompper, Venable) to introduce Ordinance 2014-03 an Ordinance to amend the Capital Budget of the Township of Lower Alloways Creek and authorizing appropriations in the amount of \$380,000.00 for the purposes of Purchasing Public Works Equipment, Public Safety Equipment and Improvements to Buildings and Grounds and a Trash Truck.

#### **ORDINANCE 2014-03**

AN ORDINANCE AMENDING THE CAPITAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK AND AUTHORIZING CAPITAL APPROPRIATIONS IN THE AMOUNT OF \$ 380,000.00 FOR THE PURPOSES OF PURCHASING PUBLIC WORKS EQUIPMENT, PUBLIC SAFETY EQUIPMENT, IMPROVEMENTS TO BUILDINGS & GROUNDS AND A TRASH TRUCK

BE IT ORDAINED BY THE, Township Committee of the Township of Lower Alloways Creek (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

Section 1. **\$ 75,000.00** (seventy five thousand dollars) is hereby appropriated from the Capital Improvement Fund for the purpose of Improvements to Buildings and Grounds and hereby added to previous appropriations under Ordinance 2011-03. [C-04-55-163-000]

Section 2. **\$ 15,000.00** (fifteen thousand dollars) is hereby appropriated from the Capital Improvement Fund for purpose of purchasing Public Works Equipment and hereby added to previous appropriations under Ordinance 2013-04. [C-04-55-168-000]

Section 3. **\$ 10,000.00** (ten thousand dollars) is hereby appropriated from the Capital Improvement Fund for the purpose of purchasing Public Safety Equipment. [C-04-55-171-000]

Section 4. **\$ 280,000.00** (two hundred eighty thousand dollars) is hereby appropriated from the Capital Improvement Fund for the purpose of purchasing a Trash Truck. [C-04-55-170-000]

Section 5. The capital budget of the Township of Lower Alloways Creek is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith. Detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services shall be on file with the Clerk and available there for public inspection.

Section 6. This ordinance shall take effect as provided by the law.

Public Hearing on this Ordinance shall be on June 17, 2014 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.

This Ordinance which was introduced for First Reading on May 19, 2014 shall be published by Title in the South Jersey Times and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

The motion to introduce for first reading Ordinance 2014-03 an Ordinance to amend the Capital Budget of the Township of Lower Alloways Creek and authorizing appropriations in the amount of \$380,000.00 for the purposes of Purchasing Public Works Equipment, Public Safety Equipment and Improvements to Buildings and Grounds passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo and Bradway

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) to introduce Ordinance 2014-04 an Ordinance to release, vacate and extinguish any and all public rights in and to portions of Skellinger Road and Battercake Lane.

#### **ORDINANCE 2014-04**

AN ORDINANCE TO RELEASE, VACATE, AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO PORTIONS OF SKELLINGER ROAD AND BATTER CAKE LANE

WHEREAS, there has been a request presented to the Township Committee of the Township of Lower Alloways Creek by the State of New Jersey Department of Environmental Protection to consider vacating a portion of Battercake Lane and Skellinger Road within such lands being acquired by the NJDEP and therein described in a letter received April 15, 2014 and;

WHEREAS, THE TOWNSHIP COMMITTEE OF LOWER ALLOWAYS CREEK, has considered the request by the NJDEP to vacate of a portion of Battercake Lane and Skellinger Road (1250') which is described in a letter referenced as #SA-2007-08, S-2011, ID# 1991 and Map dated February 14, 2014, prepared by Donald C. Pennel (Professional Surveyor for the NJDEP) attached and made a part hereof showing the portion (1250') of the roads requested to be vacated, and;

WHEREAS, the Township Committee of the Township of Lower Alloways Creek after having investigated the site, has concluded that these portions of Battercake Lane and Skellinger Road (1250') remain unbuilt/unimproved and are unnecessary for public purpose, and recommends that an Ordinance for "vacation" be prepared and considered for adoption by said Township Committee.

WHEREAS, the Township Committee of the Township of Lower Alloways Creek in the County of Salem and State of New Jersey is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which said Township may have in and to, the following described portions of Batter Cake Lane and Skellinger Road (1250');

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lower Alloways Creek in the County of Salem and State of New Jersey, as follows:

SECTION 1. The public rights and interest of Battercake Lane, particularly described as follows are hereby vacated, abandoned and released:

Beginning at the western borders of Block 34, Lot 11 and Block 43.01, Lot 3 found on the Lower Alloways Creek Tax Map pages 13 and 19 respectively, Battercake Lane then continues in an Easterly direction approximately 750 feet more or less to an intersection with Skellinger Road (described in Parcel B below), which intersects Battercake Lane from the South, forming a T type intersection. Battercake Lane as it exists in its present form is at best only a one vehicle sand/dirt path and is a "paper road", meaning that it has not had any formal survey, layout, nor acceptance by the Township and only exists as a "road" on the Township's Tax Map for reference purposes.

The above description is and is intended to be Parcel "A", being all that portions of Battercake Lane right of-way to be vacated as described above. It is further intended that all rights of the public which may exist are to be vacated within the right-of-way described, reserving there out and there from all rights and privileges now possessed by public and private utilities to maintain, repair and replace their existing facilities in, adjacent to, over or under the roadway being vacated including but not limited to, gas, water, cable, telephone, electric, sanitary sewers, storm sewers and any appurtenances and rights of ingress and egress relating thereto.

SECTION 2. The public rights and interest of Skellinger Road, particularly described as follows are hereby vacated, abandoned and released:

Beginning at the southern border of Block 43.01, Lot 3, then continuing in a northerly direction approximately 350 feet more or less then intersecting Battercake Lane forming a T type intersection and then continuing eastward after its intersection with Battercake Lane (see Parcel A map and description above) and continuing approximately 380 feet more or less in an Easterly direction ending where it Block 34, Lot 11 borders Block 34, Lot 12 and where Block 43.01, Lot 3 borders Block 43.01, Lot 7.

Skellinger Road as it in its present form is at best only a one vehicle sand/dirt path and is a “paper road”, meaning that it has not had any formal survey, layout, nor acceptance by the Township and only exists as a “road” on the Township’s Tax Map for reference purposes.

The above description is and is intended to be Parcel “B”, being all portions of Skellinger Road right of-way to be vacated as described above. It is further intended that all rights of the public which may exist are to be vacated within the right-of-way described, reserving there out and there from all rights and privilege now possessed by public and private utilities to maintain, repair and replace their existing facilities in, adjacent to, over or under the roadway being vacated including but not limited to, gas, water, cable, telephone, electric, sanitary sewers, storm sewers and any appurtenances and rights of ingress and egress relating thereto.

SECTION 3. The Clerk of the Township is hereby authorized and directed to: (i) publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof; and (ii) to mail, at least one week prior to the public hearing and adoption hereof, a copy of the notice referenced in subsection (i) hereof to every person whose lands may be affected by this Ordinance.

SECTION 4. Within sixty (60) days after adoption of this ordinance, the Township Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Salem County Clerk

SECTION 5. This ordinance shall take effect as provided by the law.

Public Hearing on this Ordinance shall be on June 17, 2014 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.

This Ordinance which was introduced for First Reading on May 19, 2014 shall be published by Title in the South Jersey Times and placed on the Township’s Bulletin Board giving notice of said Public Hearing as required by Law.

The motion to introduce for first reading Ordinance 2014-04 an Ordinance to release, vacate and extinguish any Public rights to and in portions of Skellinger Road and Battercake Lane passed a vote of the Township Committee as follows.

Ayes: Pompper, Venable, Breslin, Palombo and Bradway  
Nays: none      Abstain: none      Absent: none

#### **OLD BUSINESS:**

Short Road Property (tax foreclosure): There was some discussion by the Committee as to how to proceed with the owners’ removing personnel property from this location and how much additional time to give them to do so.

Motion (Venable, Breslin) to send notice to the owners of the property to remove all personnel property by June 17, after which the Township will proceed with the sale of all assets and land at this location.

Mr. Breslin commented that at the last meeting the Committee voted to go out for RFP’s for Cell towers again and his understanding is that it has not been done, Mr. Breslin asked Mr. Lynch if he could assist with getting the bids for a cell tower advertised. Mr. Lynch stated that he could help with that process. Mr. Breslin stated that we just need to re-bid the spec we did before and see what we get.

Mr. Breslin stated that he was made aware that comments were made to the NJDEP within the comment period regarding the Hancocks Bridge Sewer Treatment Plant's operating permit, this had been brought up at last Month's meeting.

Mr. Breslin commented that at the last meeting the Committee discussed some ideas regarding the back ball field located here at the municipal complex. Mr. Breslin asked Mr. Lynch about using the space as a ball field again if the Township removes the fence. Mr. Breslin remembers comments from Mr. Lynch regarding the basketball courts during the solar project and that if they were removed, they may not be permitted to be put back because of NJDEP regulations for wetlands. Mr. Lynch stated that the area the field is located in a buffer zone and if the fence is removed and to put it back could be a problem with the NJDEP. The consensus of the Committee after discussion was that the use of the back ball field should be restricted and to repair the fence.

Mr. Venable asked that the Committee send a letter to the Planning Board to consider extending the "Village" designation down Main Street - Canton to Friendship Road.

Motion (Venable, Bradway) to send a letter to the Planning Board to consider extending the "village" designation down Main St. – Canton to Friendship Road.

The motion to send a letter to the Planning Board to consider extending the "village" designation down Main St. – Canton to Friendship Road passed a vote of the Township Committee as follows: 4-1

Ayes: Venable, Bradway, Palombo, and Pompper

Nays: Breslin Abstain: none Absent: none

Mr. Breslin asked that the Committee discuss the re-appointment of the Tax Assessor, his term ends June 30 and in order to have enough time to advertise and fill the position, if the Committee does not re-appoint him. The Committee needs to consider this at this meeting. Mr. Venable asked if the Committee could consider a month to month appointment, Mr. Rosenberger stated that no, under the law any re-appointment after an initial term gives tenure, in some cases municipalities have put a gap in an appointment so it is not a re-appointment but an appointment, this has been done with Judges.

Motion (Breslin, Pompper) for a resolution to re-appoint Roy Duffield as Tax Assessor.

Now therefore be it resolved by the Township Committee of the Township of Lower Alloways Creek that Roy Duffield be re-appointed as Tax Assessor

The motion for a resolution to re-appoint Roy Duffield as Tax Assessor passed a vote of the Township Committee as follows: 3-2

Ayes: Breslin, Pompper and Palombo,

Nays: Venable and Bradway Abstain: none Absent: none

## **NEW BUSINESS:**

Mayor Bradway had received a request from John Carney for a new computer, it was discussed and decided that the computers could be requested and that it would just take Committee signatures on a voucher for them to be purchased.

Motion (Pompper, Venable) to approve the annual software maintenance contract with Enforsys Police Systems, Inc. at a cost of \$5,830.00

The motion approve the annual software maintenance contract with Enforsys Police Systems, Inc. at a cost of \$5,830.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo, and Bradway

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) to accept the resignation and retirement of Wayne Serfass as Construction Code Official, Building Inspector and Building Sub-code Official effective June 30, 2014

The motion to accept the resignation and retirement of Wayne Serfass as Construction Code Official, Building Inspector and Building Sub-code Official effective June 30, 2014 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo, and Bradway  
Nays: none Abstain: none Absent: none

Motion (Venable, Pompper) to approve the flooring of C-24 and D-27 at the Leisure Arms Complex as needed at a cost not to exceed \$5500.00.

Mr. Palombo asked if we were doing the flooring or someone else, the answer was someone else.

The motion to approve the flooring of C-24 and D-27 at the Leisure Arms Complex as needed at a cost not to exceed \$5500.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Pompper, Breslin, Palombo and Bradway  
Nays: none Abstain: none Absent: none

Motion (Venable, Pompper) to amend the March 18, 2014 Minutes to reflect the following vote on Resolution 2014-68; Ayes Breslin, Palombo, Pompper and Bradway Abstain: Venable

The motion amend the March 18, 2014 Minutes to reflect the following vote on Resolution 2014-68; Ayes Breslin, Palombo, Pompper and Bradway Abstain: Venable passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Pompper, Breslin, Palombo and Bradway  
Nays: none Abstain: none Absent: none

## **CORRESPONDENCE**

There was comment on a letter that was received regarding the Township being offered the opportunity to purchase a property adjoining municipal property, the Committee did not express any interest in considering this offer.

## **REPORTS TO THE COMMITTEE & COMMITTEE REPORTS**

**Public Works:** Jack Lynch disseminated a Monthly report to the Committee and stated that if there are no questions on the report, he would like to revisit the Cell Tower RFP, he would like the authority to bid that project. The Committee consented for him to proceed.

Mr. Lynch stated that he and Mr. Fogg reviewed the summer schedule and pending vacations and concluded that they are recommending that we advertise for summer help, then he will interview and make recommendations to the Committee at the next meeting.

Motion (Pompper, Venable) to advertise for Seasonal Summer Workers on the website and Township bulletin boards and that recommendations to hire be brought to the next Township Meeting.

The motion to advertise for Seasonal Summer Workers on the website and Township bulletin boards and that recommendations to hire be brought to the next Township Meeting passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo, and Bradway  
Nays: none Abstain: none Absent: none



**Public Safety:** Mr. Sowers stated that the new Police Car which was ordered last year is to be received tomorrow.

Mr. Sowers commented that he held Supervisor's meeting recently and spoke with the Department about what goes on and what is expected of them during the nuclear plant emergency drills. Mr. Sowers would like to know who to contact as there will be a helicopter which will land in the ball field and we need to inform those who are using the field that they cannot use it tomorrow evening. Lewis Fogg stated that he will make the contact and give that information to Mr. Sowers. It was suggested that the area be roped off to prevent anyone from wandering into the area.

**Animal Control:** Mr. Fisher stated that there have been complaints of residents who have numerous dogs, currently the Township does not have a limit on the number that someone can have. The Committee will have it look into and discuss it at the next meeting.

Mr. Fisher spoke to the comments made by Mr. Fogg at the last meeting about beavers damming near Wild Oaks and can only suggest that residents complain to the State, maybe they will allow site specific trapping during the next trapping season.

Mayor Bradway asked Jack Lynch to speak on the approval of Funds for Alloways Creek Neck Road Phase II and the need to approve engineering, for this project to begin. Mr. Breslin asked if the intersection at Locust Island Road was included, Mr. Lynch stated that it was not, the project would do about 1500 to 2000 feet from where Phase I left off, but that the intersection which is controlled by the County could be done under Phase III funding.

Mr. Lynch also spoke on a proposal his firm submitted to do engineering work for the resurfacing of the municipal building parking lot.

Motion (Breslin, Venable) for Resolution 2014-81 A Resolution awarding a professional services contract to Stephan J. Nardelli of Fralinger Engineering, PA for the engineering and submittal of documents in connection with the resurfacing of Alloways Creek Neck Road Phase II at a cost of \$21,000.00.

#### **RESOLUTION 2014-81**

#### **A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO STEPHAN J. NARDELLI OF FRALINGER ENGINEERING, PA**

WHEREAS, outside engineering services are required to provide professional engineering services in connection with the engineering and submittal of documents for the Resurfacing of Alloways Creek Neck Road Section II; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the award of a professional services contract for such services without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and,

WHEREAS, Fralinger Engineering, PA has submitted a proposal, dated May 12, 2014, to provide the required services at a cost not to exceed \$21,000.00; and,

WHEREAS, the anticipated term of this contract is one year; and,

WHEREAS, the Township Chief Financial Officer has determined and certified in writing that the anticipated payments under said contract may exceed \$17,500; and,

WHEREAS, Fralinger Engineering, PA has completed and submitted a Business Entity Disclosure Certification, a Stockholder Disclosure Form, and a Political Contribution Form which certifies that neither the firm nor its principals have made any reportable contributions to a political or candidate committee, an elected official of the Township of Lower Alloways Creek, P.A.C. or campaign committee in excess of the limits established pursuant to N.J.S.A. 19:44A-1 et seq. or pursuant to P.L. 2004, c.19, as amended by P.L. 2005, c.51 and that the contract will prohibit the firm or its principals from making any reportable contributions through the term of the contract, as required by State Law; and,

WHEREAS, the Township Engineer recommends and the Township Manager agrees, that Fralinger Engineering, PA be engaged to provide these services as other than a fair and open contract pursuant to N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the Chief Financial Officer has certified funds are available, copy of said certificate attached to the original of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that Fralinger Engineering, PA, Shiloh Pike, Bridgeton, NJ 08302, be engaged to provide services as set forth in the above-referenced proposal at an estimated cost of \$21,000.00 and that the Mayor is hereby authorized to execute, and the Township Clerk to attest, an Agreement between the Township of Lower Alloways Creek and Fralinger Engineering, PA, Shiloh Pike, Bridgeton, NJ 08302, to carry out the foregoing purpose, approved as to form by the Township Attorneys, a copy of which is on file in the office of the Township Clerk and is available for public inspection; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification, a Political Contribution Form, and the Determination of Value be placed on file in the Municipal Clerk's Office; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to cause a brief notice of this contract to be published in a newspaper circulated within the Township of Lower Alloways Creek stating the nature, duration, services and amount of the contract and that a copy of the resolution and contract are to be maintained on file with the Township Clerk and are to be available for Public inspection as provided in the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).

The motion for Resolution 2014-81 awarding a professional services contract to Stephan J. Nardelli of Fralinger Engineering, PA for the engineering and submittal of documents in connection with the resurfacing of Alloways Creek Neck Road Phase II at a cost of \$21,000.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Pompper, and Bradway

Nays: none      Abstain: none      Absent: none

Motion (Breslin, Venable) to approve the proposal submitted by Environmental Technical Services, Inc. to do the engineering work to resurface the Municipal Building Parking Lot at a cost of \$ 4990.00.

The motion to approve the proposal submitted by Environmental Technical Services, Inc. to do the engineering work to resurface the Municipal Building Parking Lot at a cost of \$ 4990.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Pompper and Bradway

Nays: none      Abstain: none      Absent: none

**PUBLIC COMMENT** No one for the Public indicated that they wished to make any comments.

## **CLOSED SESSION**

Motion (Breslin, Pompper) to convene into a Closed Session of Business 8:25 pm

**RESOLUTION 2014- 82**  
**A RESOLUTION FOR A CLOSED SESSION**

BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek that a portion of the meeting of the Township Committee be closed to the public to enable the Township Committee to discuss, and where appropriate, take action concerning the following matter(s) as permitted by N.J.S.A. 10:4-12:

\_\_\_\_ 3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

\_\_\_\_ 4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

\_\_\_\_ 7. Any pending or anticipated litigation or contract negotiation other than in (4) above in which the public body is, or may become a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

More specifically, the matter to be discussed involves the following:

- A. Contracts – CWA 1085 and Police FOP
- B. Personnel – Construction Code, Building Code & Building Inspector Positions – Police Dept. personnel
- C. Employee Vacation Compensation

BE IT FURTHER RESOLVED, that the matters discussed will be available for public inspection

- A. At such time the matter is concluded
- B. At such time the matter is concluded
- C. At such time the matter is concluded

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that this Closed Session is expected to continue for forty-five (45) Minutes and that further business by the Committee will take place at its conclusion.

The motion for the Closed Session of Business passed a vote of the Committee as follows: 5-0

Ayes: Breslin, Pompper, Palombo, Venable and Bradway

Nays: none      Abstain: none      Absent: none

Motion (Venable, Breslin) to come out of the Closed Session of business. 9:15 pm

The motion to come out of the Closed Session of Business passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Palombo, Pompper, Venable and Bradway

Nays: none      Abstain: none      Absent: none

**BUSINESS AFTER CLOSED SESSION**

**TOWNSHIP COMMITTEE REPORTS:** No one from the Committee had any additional comments

Motion (Breslin, Venable) to approve payment for 56 hours of carry over vacation pay for Dottie Coleman.

The motion to approve payment for 56 hours of carry over vacation pay for Dottie Coleman passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Pompper and Bradway

Nays: none Abstain: none Absent: none

Motion (Breslin, Venable) to have prepared a provision for a security deposit of 1.5 times the monthly rent in the Leisure Arms Lease for review and vote at the next Township Meeting.

The motion to have prepared a provision for a security deposit of 1.5 times the monthly rent in the Leisure Arms Lease for review and vote at the next Township Meeting passed a vote of the Township Committee as follows: 5-0

Ayes: Breslin, Venable, Palombo, Pompper and Bradway

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) to continue to have the Part Time Administrative Assistants in the Police Department work 56 hours per pay period for training purposes, through the week of June 13, 2014

The motion to continue to have the Part Time Administrative Assistants in the Police Department work 56 hours per pay period for training purposes, through the week of June 13, 2014 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo and Bradway

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) to introduce Ordinance 2014-05 An Ordinance to amend previous Salary Ordinances to provide for a combined salary range of between \$7500.00 – \$10,000.00 for the Construction Code Official, Building Sub-Code Official and Building Inspector position.

## **ORDINANCE 2014-05**

### **AN ORDINANCE AMENDING PREVIOUS ORDINANCES FIXING THE COMPENSATION TO BE PAID TO THE APPOINTED OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK**

**BE IT ORDAINED** by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey, that an Ordinance Fixing the Compensation to be Paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek for 2014 is hereby amended to provide rates of Salary and Wage compensation as follows:

**JULY 1, 2014**

**Construction Code Official, Building Sub-Code Official and  
Building Inspector a combined annual salary range of**

**\$7500.00 – \$10,000.00**

SECTION 1. Other provisions that may increase any one individual's compensation include, but are not limited to: overtime, extended shifts, night shift differential, holidays, longevity and other provisions in agreements with the Township of Lower Alloways Creek or stated in the Municipal Employees Policy Manual.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith to the extent of such inconsistencies be and the same are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect on July 1, 2014 and become operative upon its final passage and publication as required by law. The provisions of this Ordinance shall remain in full force and effect until amended or repealed.

Public Hearing on this Ordinance shall be on June 17, 2014 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.

This Ordinance which was introduced for First Reading on May 19, 2014 shall be published by Title in the South Jersey Times and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

The motion to amend previous Salary Ordinances to provide for a combined salary range between \$7500.00 – 10,000.00 for the Construction Code Official, Building Code Official and Building Inspector position passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo, and Bradway

Nays: none Abstain: none Absent: none

Motion (Venable, Pompper) to authorize the receipt of applications for Construction Code Official, Building Inspector and Building Sub-Code Official.

### **RESOLUTION 2014-83**

#### **A RESOLUTION TO AUTHORIZE THE RECEIPT OF APPLICATIONS FOR CONSTRUCTION CODE OFFICIAL, BUILDING INSPECTOR AND BUILDING SUB-CODE OFFICIAL**

WHEREAS, due to the retirement of the official who held the titles and performed the following duties for the Township of Lower Alloways Creek; Construction Code Official, Building Sub-Code Official and Building Inspector; the Township Committee of the Township of Lower Alloways Creek desires to receive applications to hire an individual(s) for these positions, and;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that it does hereby authorize the receipt of applications for; Construction Code Official, Building Sub-Code Official and Building Inspector.

BE IT FURTHER RESOLVED that the applications shall be received by the Township Clerk and that deadline for the receipt of applications shall be June 13, 2014 at 4:00 PM

The motion to authorize the receipt of applications for Construction Code Official, Building Inspector and Building Sub-Code Official passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Pompper, Breslin, Palombo, and Bradway

Nays: none Abstain: none Absent: none

### **ADJOURNMENT**

Motion (Breslin, Palombo) to adjourn the meeting at 9:25 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the May 19, 2014 Meeting were approved at a meeting held June 17, 2014

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

\_\_\_\_\_  
Ronald L Campbell Sr. Clerk

By: \_\_\_\_\_  
Mayor, Timothy W. Bradway